

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

Becker, Kurig, Straus
Bavariastrasse 7
DE-80336 München
Germany

BECKER KURIG STRAUS
BAVARIASTRASSE 7 80336 MÜNCHEN

14. März 2005

WV: / LF:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)

Date of mailing
(day/month/year)

11-03-2005

Applicant's or agent's file reference

51452

REPLY DUE

within 60 days from Tu 8.5.05
the above date of mailing

International application No.

PCT/IB2003/001213

International filing date (day/month/year)

03-04-2003

Priority date (day/month/year)

-

International Patent Classification (IPC) or both national classification and IPC

H04Q 7/32, G01S 13/76

Applicant

Nokia Corporation et al

1. ☐ The written opinion established by the International Searching Authority:
☐ is ☐ is not
considered to be a written opinion of the International Preliminary Examining Authority.
2. This First (first, etc.) opinion contains indications relating to the following items:
 - ☒ Box No. I Basis of the opinion
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☒ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is: 03-08-2005

Name and mailing address of the IPEA/SE

Patent- och registreringsverket
Box 5055
S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Authorized officer

Peter Hedman/MN

Telephone No. 46 8 782 25 00

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

International application No.

PCT/IB2003/001213

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this opinion has been established on the basis of *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed.")*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages _____ as amended (together with any statement) under Article 19

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages _____ received by this Authority on _____

pages _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

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Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-22</u>
	Claims	
Inventive step (IS)	Claims	
	Claims	<u>1-22</u>
Industrial applicability (IA)	Claims	<u>1-22</u>
	Claims	

2. Citations and explanations:

The invention concerns a device, network, method and system for for mediating networked services and solves the problem of establishing one or more services between a portable device and one or more service providers.

Cited documents

D1 GB 2 375 265 A
D2 WO 03/007623 A2
D3 US 2002/139859 A1

Document D1 is considered to represent the closest prior art. D1 describes a gateway, a method and a system for connecting a mobile telephone unit to a service provider, providing a selected service to the subscriber of the mobile telephone unit. A gateway, comprising a receiver receives a message comprising a code specific to the requested service and a code identifying the user. From the retrieved information, the gateway can mediate networked services, by way of using an order generator. (See page 2, line 5-line 12; page 4, line 20-line 27; claims 1,2,7,8).

D2 describes how information is retrieved by an RFID reader from a RFID tag and sent further to a point of sales device for evaluation of a transaction request (See abstract; page 2, line 19-page 4, line 27; page 6, line 15-line 17, line 7, line 23-page 8, line 3).

From D3 a procedure for purchasing is known, wherein information from an RFID tag is retrieved via a portable reader, such as a cellular phone. In an interaction process involving a personal database, also personal profile information may be considered (See abstract; paragraph [0017]; [0066]; [0132] - [0133]; [0162]).

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V(II)

The invention according to claim 1 differs from the device in D1 in that D1 fails to suggest that an identification sequence is received from a radio frequency identification tag.

Due to these features, a simple and reliable way of retrieving identification information is achieved.

Consequently, with the background of D1, the problem is to introduce an alternative way of delivering identification information from a portable device to a receiving device. The utilisation of radio frequency identification tags (RFID tags) is commonly known to the person skilled in the art (See for example D2 or D3). In D1 the telephone handset may be equipped with a scanning pen or an RF transponder to be used for retrieving information to be sent to the mediating node. With this in mind it is considered obvious to the person skilled in the art to utilise the commonly known RFID technology in the solution presented in D1 in accordance with what is proposed in claim 1 of the claimed invention. It is also considered obvious to develop a portable terminal adapted for such a procedure, as suggested in claims 6, 9, 10, 15 and 18. For this reason the device suggested in any of these claims is novel and have industrial applicability, but fails to involve an inventive step.

Since it is commonly known to the person skilled in the art that solutions such as the one suggested in any of claims 10-18 are implemented as software, also claims 19-22 describe a tool, product or signal, respectively, which all are novel and have industrial applicability but fail to involve an inventive step.

The message sent to the gateway described in D1 comprise subscriber related information as well as service related information. This information is interpreted in the gateway before an appropriate connection is set up. It is considered obvious to the person skilled in the art to develop this interpretation process to also include some kind of subscription dependent comparison, wherein a comparison to various commonly known, stored subscription information is being done. A process wherein personal information is used is for example known from D3 (See paragraph [0066]). Claims 2-4 and 11-13 fail to involve an inventive step.

Claims 5, 7-8, 14 and 17 only suggest commonly known alternative ways of setting up a connection between two

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V(III)

entities, via an intermediate entity, which fails to reveal any unexpected technical effect. Therefore, also these claims fail to involve an inventive step.

Considering what is already known from D1, the way of setting up a service request message, as suggested in claim 16 only describe an alternative solution which is considered obvious to a person skilled in the art. Claim 16 therefore fails to involve an inventive step.

To sum up, the invention as claimed in claim 1-22 is industrially applicable and novel, but fail to involve an inventive step.

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Claim 9 ends with an end. Consequently, a part/parts of the description of the network serving device of the presented system is missing.